

EXHIBIT 81
FILED UNDER SEAL

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MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
ERIC A. TATE (CA SBN 178719)
ETate@mofo.com
MORRISON & FOERSTER LLP
425 Market Street
San Francisco, California 94105-2482
Telephone: 415.268.7000
Facsimile: 415.268.7522

Attorneys for Defendants
UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC, and OTTO TRUCKING LLC

KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsflp.com
HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsflp.com
BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
Washington DC 20005
Telephone: 202.237.2727
Facsimile: 202.237.6131

Attorneys for Defendants
UBER TECHNOLOGIES, INC.
and OTTOMOTTO LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS’ OBJECTIONS AND
RESPONSES TO PLAINTIFF
WAYMO LLC’S NOTICE OF
DEPOSITION OF JAMES HASLIM
AND REQUESTS FOR
PRODUCTION OF DOCUMENTS
AND THINGS**

Honorable William Alsup

1 Defendants Uber Technologies, Inc., Ottomotto LLC (“Ottomotto”), and Otto Trucking
2 LLC (collectively “Defendants”) hereby object and respond to the Notice of Deposition of James
3 Haslim and Requests for Production of Documents and Things, served by Plaintiff Waymo LLC
4 (“Waymo”).

5 **RESPONSES TO SPECIFIC DOCUMENT REQUESTS**

6 **REQUEST FOR PRODUCTION NO. 1:**

7 Documents sufficient to identify all LiDAR-related work former Waymo or Google
8 employees have done for Defendants since leaving Waymo, including whether or not that work
9 led to or related to any prototype or device.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

11 Defendants will produce communications from the custodial files of Scott Boehmke, Dan
12 Gruver, James Haslim, and [REDACTED] sufficient to show the requested information.
13 Defendants have produced documents responsive to this Request in connection with the Requests
14 for Production served with Asheem Linaval’s Notice of Deposition. In addition, Defendants have
15 made the Fuji and Owl devices available for inspection and will make components of the Spider
16 available for inspection.

17 To the extent Request for Production No. 1 requests anything other than the previously
18 described information, Defendants object to this Request as not as overly broad, not “very
19 narrowly drawn,” and not proportional to the needs of the case, insofar as it seeks documents
20 concerning “all LiDAR-related work.”

21 **REQUEST FOR PRODUCTION NO. 2:**

22 Documents sufficient to describe and identify the “In-house custom built 64-laser (Class
23 1) emitting 6.4 million beams a second at 10Hz” LiDAR system referenced in Otto’s September
24 15, 2016 statement to Nevada authorities, and the identity of any related LiDAR systems.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

26 Defendants respond that Uber did not and does not have a LiDAR that corresponds to the
27 description in Otto’s September 19, 2016 submission to the Nevada DMV. As Otto clarified in
28 its March 15, 2017 letter to the Nevada DMV, while Otto has been developing its own LiDAR

1 systems, it has not yet deployed an in-house custom built 64-laser. At the time of the original
2 September 19, 2016 submission, Uber was working on its Spider design, which was a fiber laser
3 based LiDAR design that was intended to have 64 channels and designed to operate at 3.2 million
4 beams per second, but was never completed. Components of that conceptual device will be
5 available for Waymo's inspection today or tomorrow morning.

6 **REQUEST FOR PRODUCTION NO. 3:**

7 Documents sufficient to show any consideration by Defendants of a LiDAR design with a
8 single lens.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

10 Defendants will produce PowerPoint presentations, notes, spreadsheets and schematics
11 from the custodial files of Scott Boehmke and James Haslim sufficient to show the requested
12 information.

13 To the extent Request for Production No. 3 requests anything other than the previously
14 described information, Defendants object to this Request as overly broad, not “very narrowly
15 drawn,” and not proportional to the needs of the case insofar as it concerns “any consideration by
16 Defendants of a LiDAR design with a single lens.”

17 **REQUEST FOR PRODUCTION NO. 4:**

18 Documents related to the LIDAR-related [REDACTED] in UBER00006451, including how
19 such [REDACTED]

20 [REDACTED]
21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

22 After a diligent investigation, Defendants respond that they have not located any
23 documents responsive to this request.

24 To the extent Request for Production No. 4 requests anything other than the previously
25 described information, Defendants object to this Request as overly broad, not “very narrowly
26 drawn,” and not proportional to the needs of the case insofar as it concerns [REDACTED]

27 [REDACTED] Defendants object to this Request as seeking
28

1 material covering subject matter about which Mr. Haslim does not have personal knowledge, and
2 as seeking material outside the scope of his Declaration.

3 **REQUEST FOR PRODUCTION NO. 5:**

4 Documents sufficient to show any ethical wall or policy regarding Anthony Levandowki’s
5 participation or input into Defendants’ LiDAR designs or other self-driving car technology, and
6 the reasons for any such policy.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

8 After a diligent investigation, Defendants respond that they have not located any
9 documents responsive to this request.

10 To the extent Request for Production No. 5 requests anything other than the previously
11 described information, Defendants object to this Request as overly broad, not “very narrowly
12 drawn,” and not proportional to the needs of the case insofar as it concerns “any ethical wall or
13 policy” or “any such policy.”

14 **REQUEST FOR PRODUCTION NO. 6:**

15 Documents sufficient to explain Defendants’ decision to use multiple laser diodes
16 arranged on a curved transmit PCB in the Fuji design, and the diode alignment and tuning process
17 in such design.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

19 Defendants will produce PowerPoint presentations, notes, spreadsheets, schematics and
20 communications from the custodial files of Scott Boehmke and James Haslim sufficient to show
21 the requested information regarding the use of laser diodes on the transmit PCB. After a diligent
22 investigation, Defendants respond that they have not located any documents responsive to the
23 request regarding the diode alignment and tuning process.

24 To the extent Request for Production No. 6 requests anything other than the previously
25 described information, Defendants object to this Request as overly broad, not “very narrowly
26 drawn,” and not proportional to the needs of the case insofar as it concerns any decision relating
27 to “multiple laser diodes arranged on a curved transmit PCB.”
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1 Dated: April 18, 2017

MORRISON & FOERSTER LLP

2
3 By: /s/ Arturo J. González
4 ARTURO J. GONZÁLEZ

5 Attorneys for Defendants
6 UBER TECHNOLOGIES, INC.,
7 OTTOMOTTO LLC, and OTTO TRUCKING LLC
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APPENDIX**Information on Document Collection and
Production Under Supplemental Order ¶ 13**

Defendants further provide information on their collection efforts under Paragraph 13 of the Supplemental Order. As of April 16, 2017, Defendants have searched the following sources of information that may contain material responsive to Waymo's requests for production:

- Defendants' custodial document repositories (e.g. email repositories, Google Docs, locally stored electronic documents)
- Defendants' internal non-custodial document repositories (e.g. Slack channels, Git repository, personnel files)
- Publicly-available websites on the Internet

As of April 16, 2017, the following individuals employed by Defendants have searched for documents that may contain material responsive to Waymo's requests for production:

- Asheem Linaval – search responsibility for documents relating to LiDAR designs and development and communications concerning LiDAR.
- Rhian Morgan – search responsibility for documents relating to Ottomotto's human resources policies and procedures.
- David Meall – search responsibility for documents relating to Uber ATG's recruiting policies and procedures.
- Kevin Faulkner – search responsibility for documents relating to the forensic analysis performed by Stroz Friedberg pursuant to the March 13, 2017 engagement letter.
- [REDACTED] – search responsibility for documents relating to Uber's decision to acquire Otto.
- Scott Boehmke – documents relating to LiDAR designs and development.
- [REDACTED] – documents relating to LiDAR designs and development.
- Dan Gruver – documents relating to LiDAR designs and development.
- James Haslim – documents relating to LiDAR designs and development.

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- [REDACTED] – documents relating to LiDAR designs and development.
- [REDACTED] – documents relating to LiDAR development.
- Max Levandowski – documents relating to LiDAR designs and development.
- [REDACTED] – documents relating to LiDAR designs and development.
- Gaetan Pennecot – documents relating to LiDAR designs and development.
- [REDACTED] – documents relating to LiDAR designs and development.
- [REDACTED] – documents relating to LiDAR designs and development.
- [REDACTED] – documents relating to LiDAR designs and development.
- [REDACTED] – documents relating to LiDAR designs and development.